

LAW OFFICE OF SAM A. SCHMIDT

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Sam A. Schmidt, Esq.

November 26, 2019

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, N.Y. 10007

Re: *United States v. Richard Gonzalez*
11 CR. 1032 (PAE)

Dear Hon. Judge Engelmayer:

We are scheduled for a conference on December 2, 2019 on Mr. Gonzalez's violation of supervised release. On or about October 23, 2019, Mr. Gonzalez turned himself in on a warrant alleging he committed an armed robbery. As a result of that warrant, he bail for the original case was revoked.

The allegations for the new case appeared extraordinarily weak and contradictory including a description given by the complainant and the nature of the offense. Having reviewed the relevant documents, I am firmly convinced that the arrest of Mr. Gonzalez was wrongful and unsupportable.

In fact, on November 5, 2019, prior to the preliminary hearing, the prosecutor filed a request for a nolle prosequi on and Mr. Gonzalez was released on that matter. A motion to reinstate the bail was filed shortly thereafter because the new case was the basis of the violation of his release of the original matter. A bail review hearing is scheduled for December 9, 2019.

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I respectfully request that the matter be adjourned to a control date in early January, 2020.

Sincerely yours,
/s/

Sam A. Schmidt

cc: AUSA Matthew.Laroche
AUSA Sarah.Krissoff

GRANTED. The hearing is adjourned to January 10, 2020 at 3:30 p.m. The Court directs to the parties to file a joint status letter no later than January 3, 2020. The Clerk of Court is requested to terminate the motion at Dkt. No. 2457.

11/27/2019

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge